

AMENDED IN SENATE APRIL 5, 2010

**SENATE BILL**

**No. 1154**

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**Introduced by Senator Cedillo**

February 18, 2010

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~~An act to amend Section 201 of the Revenue and Taxation Code, relating to taxation. An act to add Section 713 to the Public Utilities Code, relating to public utilities.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1154, as amended, Cedillo. ~~Property taxation. Public Utilities Commission: Earned Income Tax Credit.~~

(1) Existing law requires the Public Utilities Commission to establish a program of assistance to low-income electric and gas customers, which is referred to as the California Alternate Rates for Energy (CARE) program. The Moore Universal Telephone Service Act establishes the Universal Lifeline Telephone Service (ULTS) program in order to provide low-income households with access to affordable basic residential telephone service.

This bill would require the commission to ensure that all applications for the California Alternate Rates for Energy (CARE) and the Universal Lifeline Telephone Service (ULTS) programs include information about the applicant's eligibility to qualify for the federal Earned Income Tax Credit.

(2) Existing law makes any public utility, as defined, and any corporation other than a public utility, that violates the Public Utilities Act, or that fails to comply with any part of any order, decision, rule, direction, demand, or requirement of the commission, guilty of a crime.

Because the provisions of this bill are within the act and require action by the commission to implement its requirements, a violation of

*these provisions would impose a state-mandated local program by expanding the definition of a crime.*

*(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

~~Existing property tax law provides that all property in this state, not exempt under the laws of the United States or of this state, is subject to taxation.~~

~~This bill would make technical, nonsubstantive changes to this provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: ~~no~~-yes.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 713 is added to the Public Utilities Code,  
2     to read:

3     713. (a) The commission shall ensure that all applications for  
4     the California Alternate Rates for Energy (CARE) and the  
5     Universal Lifeline Telephone Service (ULTS) programs include  
6     information about the applicant's eligibility to qualify for the  
7     federal Earned Income Tax Credit.

8     (b) The information described in subdivision (a) may be included  
9     on a separate sheet in the same envelope that the application for  
10    the CARE or ULTS program is sent.

11    (c) CARE and ULTS applicants shall be provided with  
12    information about all of the following pursuant to this section:

13    (1) The federal Earned Income Tax Credit requirements.

14    (2) The potential benefit to the applicant's tax return.

15    (3) Contact information about where they can receive further  
16    information.

17    SEC. 2. No reimbursement is required by this act pursuant to  
18    Section 6 of Article XIII B of the California Constitution because  
19    the only costs that may be incurred by a local agency or school  
20    district will be incurred because this act creates a new crime or  
21    infraction, eliminates a crime or infraction, or changes the penalty  
22    for a crime or infraction, within the meaning of Section 17556 of

1 *the Government Code, or changes the definition of a crime within*  
2 *the meaning of Section 6 of Article XIII B of the California*  
3 *Constitution.*

4 ~~SECTION 1. Section 201 of the Revenue and Taxation Code~~  
5 ~~is amended to read:~~

6 ~~201. All property in this state that is not exempt under the laws~~  
7 ~~of the United States or of this state is subject to taxation under this~~  
8 ~~code.~~

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